6501561/2022/TAPPAL-REV01

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services - Revenue Department - Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired) - Initiation of disciplinary proceedings under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of charge - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.716

Dated:11-11-2021

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G.O.Rt.No.253, Rev.(Vig.I) Dept., Dt: 01.09.2020

ORDER:

In pursuance to the sanction accorded by the Government under subclause (i) of clause (b) of sub rule (2) of Rule 9 of the Revised Pension Rules, 1980, vide G.O. read above, it is proposed to hold an enquiry against Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired) in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure- I). A statement of imputations of misconduct / misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge proposed to be sustained are also enclosed (Annexures-III & IV).

3. Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired) is directed to submit, within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired) is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired)is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6. Attention of Smt. Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired)is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to her service under the Government. If any representation is received on her behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of the Order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri. Y.Ramachandra Reddy the then Land Acquisition Officer/ RDO, Gudur, SPSR Nellore District(now retired) (through the Chief Commissioner of Land Administration, A.P., Vijayawada.)

The Chief Commissioner of Land Administration, A.P., Vijayawada (with a request to serve the order on the individual and furnish served copy of this G.O. within a week).

The Director General , Anti Corruption Bureau, Andhra Pradesh, Vijayawada.

Copy to:

The District Collector, SPSR Nellore.

S.F./S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE - I

6501561/2022/TAPPAL-REV01

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI. Y.RAMACHANDRA REDDY FORMERLY LAND ACQUISITION OFFICER/ RDO, GUDUR, SPSR NELLORE DISTRICT.

That Sri Y. Ramachandra Reddy S/o Nagireddy, formerly land acquisition officer/ RDO, Gudur, SPSR Nellore District while functioning as such during the period between 25.06.2008 to 05.03.2010 as Land Acquisition Officer/ RDO, Gudur of SPSR Nellore District committed grave misconduct in as much as:

Charge:

That the Government Servant who worked as RDO/LAO, Gudur ignored the earlier orders of the LAO without placing the matter before the competent Civil Court for determination of the title between the complainant Sri Kakuturu Satish Kumar Reddy and Sri Y.Janaki Rami Reddy under the Land Acquisition Act, he considered the representation Smt. P. Vani Reddy forwarded by the then Collector and District Magistrate, Nellore vide Rc.G-5/2647/2008 dated: 18.07.2008 and without giving opportunity to the complainant Sri Kakuturu Satish Kumar Reddy, paid compensation an amount of Rs.3,48,107/- for Ac.1.64 cents and Rs.9,67,907/- for Ac.4.56 cents to Sri Ramesh.S.Lulla and an amount of Rs.17,94,103/- for Ac.8.34 cents to Sri P. Nihant Reddy and thereby exceeded his powers and exhibited gross negligence and lack of devotion to duty.

Thus, Sri Y. Ramachandra Reddy S/o Nagireddy, formerly land acquisition officer/ RDO, Gudur, SPSR Nellore District by his above-mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of Government servant and thereby violated Rules 3(1) & (2) of APCS (Conduct) Rules, 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

STATEMENT OF IMPUTATIONS OF MISCONDUCT IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI Y. RAMACHANDRA REDDY, FORMERLY LAND ACQUISITION OFFICER/ RDO, GUDUR, SPSR NELLORE DISTRICT.

Sri Y.Ramachandra Reddy S/o Nagireddy, formerly land acquisition officer/RDO, Gudur, SPSR Nellore District. He is native of Dugasanivall Palle, Mulakala Cheruvu Mandal, Chittoor District. His date of birth is 15.05.1959. He joined in Government Service as Probationary Dy.Tahsildar on 02.02.1990. Worked as Mandal Revenue Officer, Yerpedu from 07.03.1991 to 27.08.1991. Transferred to Vijayapuram Mandal and worked as CPDT from 28.08.1991 to 04.02.1992. Transferred and worked as Mandal Revenue Officer at Varadaiahpalem Mandal and Buchinaidu Kandriga Karevati Nagar Mandals of Chittoor District from 05.02.1992 to 19.09.1994. Later got a promotion and worked as Tahsildar of Thottambedu Mandal from 20.09.1994 to 18.04.1995, worked as MRO (in the cadre of Dt. Tahsildar) at Srikalahasthi Mandal from 19.04.1995 to 22.03.1996. Later, worked as MSDT at the RDO office, Tirupathi from 23.03.1996 to 10.09.1998. Worked as Tahsildar, Vedurukuppam Mandal from 11.09.1998 to 25.07.2000. Worked as Administrative Officer, RDO's Office, Tirupati from 26.07.2000 to 15.03.2002, Worked as Tahsildar at Puttur Mandal from 16.03.2002 to 21.09.2003. Got a promotion and worked as Dy. Collector, O/o Project Director, APRPRP, Kadapa District from 22.09.2003 to 28.07.2004. Transferred and worked as RDO at Rajampeta, Kadapa District from 29.07.2004 to 24.06.2008. Sri Y. Rama Chandra Reddy worked as Land Acquisition Officer / RDO, Gudur SPSR Nellore District from 25.06.2008 to 05.03.2010. Transferred and worked as Spl. Dy. Collector LA, TTD, Tirupathi. His date of birth is 15.05.1959. His date of retirement on attaining the age of superannuation is 31.05.2019. He is here-in-after referred to as Retired Government Servant or Charged Officer (CO).

Thus the oral and documentary evidence collected by the investigating officer substantiated the above charge against the charged officer.

That the Government Servant who worked as RDO/LAO, Gudur ignored the earlier orders of the LAO without placing the matter before the compe t ent Civi l Cour t for de t e rmina t ion of the title between the complainant Sri Kakuturu Satish kumar Reddy and Sri Y.Janaki Rami Reddy under the Land Acquisition Act, he considered the representation of Smt. P.Vani Reddy forwarded by the then Collector and District Magistrate, Nellore vide Rc.G-5/2647/2008 dated: 18.07.2008 and without giving opportunity to the complainant, paid compensation an amount of Rs.3,48,107/- for Ac.1.64 cents and Rs.9,67,907/- for Ac.4.56 cents to Sri Ramesh.S. Lulla and an amount of Rs.17,94,103/- for Ac.8.34 cents to Sri P. Nihant Reddy and thereby exceeded his powers and exhibited gross negligence and lack of devotion to duty.

FACTS IN EVIDENCE

The Hon'ble Court of Special Judge for SPE and ACB Cases, Nellore referred the petition filed by Sri Kakuturu Satish Kumar Reddy, S/o Sri Ramachandra Reddy to the DSP, ACB, Nellore Range, Nellore Dated. 02.07.2011 for conducting investigation under Sec.156 (3) Cr.P.C Accordingly, a case was registered vide Cr.No.10/RCO-NLR/2011 Ws 13(2) r/w 13(1) (d) of PC Act, 1988 and u/s 420, 120(b), 468, 409, 167, 109, and 471 of IPC r/w 34 IPC of ACB, Nellore Range, Nellore on 20-07-2011 at 10-30 hrs against A1 to A17. A-1 is the Charged Officer.

As per the contents of the complaint, the properties comprised in survey Nos.643, 646, 647, 649, 650 admeasuring Ac.32.38 cents situated at Thamminapatname village, Chillakur mandal of SPSR Nellore district is the ancestral property of the complainant. The complainant obtained pass book for the above said property from the MRO, Chillakur. But his original passbook was misplaced. So, he applied for duplicate pass book after paying requisite fee of Rs.1100/- on 18.11.2004. While so, a notification was issued on 19.05.2006 and published on 26.05.2006 in Eenadu daily newspaper under Sec.4 (1) of Land Acquisition Act by the District Collector, Nellore. As per the said notification, the complainant was shown as enjoyer of the above said property. Subsequently, a notice under Sec.9(3) of the said Act was served on him by the then LAO cum- Sub-Collector, Gudur on 15.06.2006 asking him to attend the award enquiry. The complainant attended the award enquiry. But after considering the facts and circumstances of the case, the LAO, Gudur ordered on 10.05.2007, to deposit the compensation amount of Rs.95,00,000/- in the Civil Court Deposit i.e., Senior Civil Judge Court, Gudur.

In the meanwhile, the charged officer Sri Y. Ramachandra Reddy took the charge of the post of RDO cum LAO on 25.06.2008 and worked there up to 15.02.2010. While he was holding office, he received proceedings from Sri. K. Ramagopal, IAS the then Collector and

District Magistrate of Nellore vide R.C.G.5/2647/2008 dt.18.07.2008 directing him to consider the representation of Smt.P.Vani Reddy Who submitted a representation to the said collector contending that the earlier Land Acquisition officer Gudur did not pay the compensation amount for the land covered by survey no.650 for an extent of Ac. 8-34 cents of Thamminapatnam Village of Chillakur Marital which was kept under Civil Court deposits despite filing the relevant documents. It is further mentioned in the representation that the previous LAO did not give compensation to her Son P. Nihantha Reddy for Survey No.650 on the ground that he did not produce any recorded evidence and hence he ordered to keep the amount of Rs.17,94,103/- in Civil Court deposit. As per the documents secured the said P.Nihantha Reddy purchased an extent of Ac. 8-34 cents under a register document from S.Vijaya Santhi on 10.02.2005 for a sale consideration of Rs.2,42,000/- pertaining to survey nos 649 and 650 of Tamminapatnam Village. Even earlier to the representation of Smt.P.Vani Reddy, the complainant Sri K.Satish Kumar Reddy, in this case, sent a registered notice to Sri Y. Rama Chandra Reddy, retired Govt. servant mentioning the fact that he s the title owner for the survey numbers 643, 644, 647, 649, 650, 657 ar0 665 of Tamminapatnam Village and he came to know that some third parties are claiming compensation with regard to the above survey numbers in the land acquisition proceedings as the lands were acquired by the government for the development of Krishnapatnam Port. The complainant also filed a writ petition in the High Court and later it was withdrawn on the ground that he already made his objection before the C.O. After the receipt of the instructions the collector, C.O passed an award in favour of P.Nihanthh Reddy for survey nos 650 for an extent of Ac. 8-34 cents by his proceeding in RCA 1752/2006 dt.18.07.2008 by awarding an amount of Rs.17,94,103/- by withdrawing the Civil Court deposit made by the earlier land acquisition officer. Before passing of the awards by CO in favour of the said P. Nihantha Reddy he did not issue personal notice to the complainant nor examined the documents to know about the source of title and without referring the title dispute to the land acquisition to the Spl. Court for deciding the issue of the title and in collusion with Sri P. Nihantha Reddy and his supporters awarded compensation. Thus the C.O without considering the title dispute and als0 the objections put forward by the complainant by opting for corrupt an illegal methods passed the award by abusing his official position and there by gained a pecuniary advantage. Further, the previous land acquisition officer ordered to keep the compensation amount pertaining to survey no.646 an extent of Ac 1-64 cents (compensation award Rs.3,48,107), and survey nos 647 an extent of Ac 4-56 cents (compensation award Rs.9,67,907-00). The previous LAO after considering the documents and satisfied himself that there is no clear evidence regarding the title and possession of the above- said lands ordered to keep the amount in CCD. One Ramesh.S.Lulla attended the enquiry before the previous LAO and submitted his title deed relating to the survey nos 646 and 647 and despite it, he ordered to keep the amount in CCD as Ramesh.S.Lulla did not file any supporting evidence to prove his right over the said properties. Then the CO alleged to have been issued a notice on 04.08.2008 to the complainant and Sri Y. Janakirami Reddy directing them to appear, before him on 11.08.2008 at his office relating to the passing of the award pertaining to the Survey Nos. 646 and 647 in favour of Sri Ramesh.S.Lulla. The complainant put forward his objection through his advocate mentioning that he was recognized as titleholder in the I-B register and also as an enjoyer in the cultivation accounts and apart from it the revenue department also issued a pattadar passbook land title deed relating to the lands owned by him inclusive of Survey Nos. 646 and 647. The C.O did not appreciate the documents that there was no attestation on the 1-B register and he did not produce any evidence to prove his title.

Further, the C.O held that the Sri Ramesh.S.Lulla produced his registered documents and passbooks to prove the title which is not correct. According to the sale deed standing in the name of Ramesh.S.Lulla was executed by K.J.Raghunadhan Dated 05.01.2002 pertaining to the above lands the vendor mentioned a source of title through a registered documents dt.29.01.1992. Further, the vendor of K.J.Raghunadhan purchased the property from Sri P.Venugopalachari and Sankarachari on 29.01.1992 mentioning that it is a self-acquired property. But there is no evidence on record that how the vendors derived title to the above survey numbers, before selling the same to K.J. Raghunathan. As per the revenue records the name of the complainant was recognized as pattadar and title holder for all the survey numbers referred by him in the complaint inclusive of the above survey numbers and further the concerned revenue officials also declared that the Government also issued a pattadar passbook and title deed to the complainant in the year 1997 itself for the aforesaid lands. Further one Sri Y. Janakirami Reddy, who had disputes with the complainant supported the unholy claim of Sri P. Nihantha Reddy, Smt. Vani Reddy, Sri Ramesh.S.Lulla and other persons by attending to the enquiry in a person: taking advantage of his name mentioned as pattadar in the notice issued u/s 4(1) of Land Acquisition Act 1894 for the acquisition of the lands by the government for the development of Krishnapatnam Port. CO knows pretty well that the complainant requested him not to disburse the amounts to Sri Ramesh.S.Lulla, P.Nihantha Reddy as he is the titleholder for the survey nos referred above and despite :it by ignoring the

rights of the complainant and in collusions with the claimants the C.O granted award by withdrawing the Civil Court deposit amount. In all C.O paid Rs.3,48,107/- for the survey no.646, Rs.9,67,907/- for survey no. 647 totaling Rs.13,16,014/- to Ramesh.S.Lulla by deviating from the earlier orders passed by the previoils LAO in the award dt.10.05.2007. Likewise, he also paid an amount of Rs.17,94,103/- to P.Nihantha Reddy for an extent of Ac 5-88 Cents coved by survey nos 650 of Thamminapatnam Village by cancelling the Civil Court Deposit.

During the course of investigation, the Inspector, ACB, Nellore examined the compl ainant Sri kakaturu Sateesh kumar Reddy, Sri Sannareddy Dasaradhirami Reddy r/o Chinakattuvapalli village, Chillakuru mandal; Sri Koduru Janakiramireddy S/o veerabhadrareddy r/o Momidi village, Chillakuru mandal. They corroborated the comments of the complaint. The Inspector also examined Sri N,.Madhusudanarao RDO, Gudur; Sri Sankranthi VaraKumar DAO, Nellore; Sri K.V.Ramanaiah Tahsildar, Chillakuru mandal; Smt Krishna Bharathi DRO, Nellore; Sri Pradyumna, IAS, former Sub-Collector-cum Land Acquisition Officer, Gudur; Sri Rameh S.Lulla R/o Agast hiya nagar , Keeelpak , Chennai ; Sri Puchalapalli Nishanthreddy S/o late Satyareddy R/o 127F, Santhosh colony, Rajamannar Salai, K.K.Nagar, Chennai and recorded their statements.

The Adangal copies pertaining to survey nos 643,644, 646, 647, 6419 and 650 relating to the years 1987, 2002 to 2004 were obtained during the investigation. The records show that the complainant is the pattadar and he was also issued with pattadar passbooks by the revenue authorities of Chillakuru Mandal on 14.12.1997. As per the statement of the Tahsildar by name Sri.K.V.Ramanaiah the complainant Sri. K.Satishkumar Reddy was shown as titleholder in I-B and also enjoyer in Adangal Copies. Further, he stated that no record available in the office with regard to the proceedings basing on which the said pass books were issued to the complainant. I-B register and 10-1 Adangal register copies were obtained and it shows that the complainant was recognized as titleholder to the above properties and his name was also shown as enjoyer in the Land Acquisition Proceedings Notice issued and Sec.4(1) of Land Acquisition Act 1984.

The statement of Smt.Krishna Bharathi, DRO, Nellore shows that the C.O ignored the right of the complainant and awarded compensation to Ramesh.S.Lulla, Smt. P. Amrutha Reddy and Sri P.Nihantha Reddy without following the due procedure. The statement of Sri Pradyumna, IAS, former RDO-cum-LAO, Gudur shows that The state government required Ac.76.22 cents land in Thamminapatname village of Chillakur mandal for the purpose of krishnapatnam port. Accordingly, government acquired lands. For the purpose of payment of compensation to the pattadars and registered enjoyers, an enquiry was conducted. According to the award, the S.No.646,647,649,650 of Thamminapatname village were standing in the name of Sri Sateesh kumarreddy as a registered enjoyer. But during enquiry, none claimed compensation for lands in S.No.646, 647,650. Hence compensation amount allotted for the above three survey numbers to be deposited in civil court deposits. For S.No.649. Smt P.Vanireddy claimed compensation. She produced photocopies of a registered deed. The village officers confirmed about her ownership and no objection received from anybody in this regard. So, he ordered payment of compensation of Rs.19,19,352/-. For S.No.643, Smt P.Amruthareddy claimed compensation. Her right was confirmed by the village officers. So, an amount of Rs.19,35,000/- was paid to her.For S.No.644, Smt P.Amruthareddy claimed compensation. Her right was confirmed by the village officers. So, an amount of Rs.7,08,000/- was paid to her. After passing of award, he was transferred.

The Charged Officer reiterated himself liable for departmental action for major penalty.

Thus, Sri Y.Ramachandra Reddy formerly land acquisition officer/ RDO, Gudur, SPSR Nellore District by his above-mentioned acts has exhibited a lack of integrity, devotion to duty and conduct unbecoming of Government servant and thereby violated Rules 3(1) & (2) of APCS (Conduct) Rules, 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

6501561/2022/TAPPAL-REV01

ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMESD AGAINST SRI Y. RAMACHANDRA REDDY, FORMERLY LAND ACQUISITION OFFICER/ RDO, GUDUR, SPSR NELLORE DISTRICT ARE PROPOSED TO BE SUSTAINED.

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1) Award Number 5/2007-08 dated 10-05-2007.
It contains award particulars of the land acquisition

2) Award Number 6/2007--08 dated 01—05--2007.
It contains award particulars of the land acquisition. (the above two documents along with the entire file is collected)

3) Document No 993/1992 of SRO Gudur, SPSR Nellore District
This document was executed between K.J.Raghunadhan and 1) P.Venugopala Chari 2. P.Sankara Chari. (there is no link document relating to this document as it was not mentioned in the body of the document and it was not found in the search report)

4) Document No. 10/2002 of SRO Gudur, SPSR Nellore District
It conta ins that Rame sh. S. Lul l a has pur chased ac re s 6.20 f rom K.J.Raghunadhan.

5) Document No. 11/2002 of SRO Gudur, SPSR Nellore District
It contains that Puchalapalli Satya Reddy has purchased acres 3.15 from K.J.Raghunadhan.

6) Documents NO.12/2002 of SRO, Gudur, SPSR Nellore
It contains that the S.Vijaya Santhi has purchased acres 14.22 from K.J Raghunadhan.

7) Document No.284/2005 of SRO Gudur, SPSR Nellore District.
It contains that the Puchalapalli Nihanth Reddy has purchased ac.14.22 from S.Vijaya Santhi.

8) Document No. 768/2006 of SRO Gudur, SPSR Nellore District
It contains that the Puttamreddy Amrutha Reddy has purchased ac.8.81 from K.J.Raghunadhan. (Sl, Nos. 4 to 8 are the link documents of Doc. No.3085/2010)

9) Document No. 3085/2010 of SRO Gudur, SPSR Nellore District
This deed of sale dated 28-05-2010 was executed between Smt. Puttamreddy Amrutha Reddy and K.J. Raghunadhan.

10)PROCEEDINGS OF Y.RAMACHANDRA REDDY, RDO/LAO vide RC.No-A1752/2006, dt.28.7.2008.

11)PROCEEDINGS OF Y.RAMACHANDRA REDDY, RDO/LAO vide RC.No-A1752/2006 Dated.NIL.07.2008.

12) PROCEEDINGS OF Y.RAMACHANDRA REDDY, RDO/LAO vide RC.No-A1752/2006 Dt.18-10-2008.

13)Letter of V.V.Prasad Reddy, Joint Sub- Registrar-I, Gudur, SPSR Nellore Dist. Vide Lr. No; Ni1/2013, Dated: 13.11.2013.
It shows furnishing the certified copies of the registered documents Nos.10/02, 11/02, 12/02, 284/05 and 768/06 obtained by A-5 to A-8.

14) Letter of Sri V. Venkata Subbaiah, RDO (I/c), Gudur in RC.No - A1752/2006, Dated.29-09-2016:
It shows that the lands in S.No.646 Ac.1.64, S.N.649 Ac.9.03 and S.No.650 Ac.8.34 have not been surrendered and taken possession by the Government under AP Land Reforms COAH Act, 1973.

15) Letter of Sri V. Venkata Subbaiah, RDO (I/c), Gudur in RC.No - . A1752/2006, Dated.29-09-2016:
It shows that as per 4(1) Notification Declaration u/s 6 of LA Act 1894 the pattadars and enjoyers for S.Nos.646, 647, 649 and 650 of Thamminapatnam village of Chillakur Mandal.

16) Letter of Sri R. Subbaravudu, Joint Sub-Registrar-I, Gudur in No - NIL/2016, Dated.22-09-2016:
It shows that the link documents of Doc. No.3085/2010 and also that there is no link document to Doc. No.993/1992.

17) Letter of Sri K.V. Ramanaiah, Tahsildar, Chillakur Mandal in RCB.No: 120/2017, Dated: 27.05.2017.
It revealed that as per the manual 1-B Khata No: 232, the Tahsildar, Chillakur issued Pattadar Passbooks An favour of Kakuturi Sateesh Kumar Reddy in Survey Nos: 643, 644, 646, 647, 649, 650 for an extent of Ac. 32.38 of Thamminapatnam Village.

18) Death Certificate of Sri Penagavuru Venugopala Chari S/o P.Munu Swamv issued by Varagali Gram Panchayat of Chillakur Mandal, SPSR Nellore District.
It revealed that Sri P.Venugopala Chari of Varagali Village died on 13-12-2011.

V.USHARANI
PRINCIPLE SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

6501561/2022/TAPPAL-REV01

ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMESD AGAINST SRI Y. RAMACHANDRA REDDY, FORMERLY LAND ACQUISITION OFFICER/ RDO, GUDUR, SPSR NELLORE DISTRICT ARE PROPOSED TO BE SUSTAINED.

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1. Sri Kakuturu Sateesh Kumar Reddy SR; Ramachandra Reddy Age 47 yrs, D.No.21/8 Azeez Nagar, 1st Street, Kodambakam, Chennai - 6000024

2. Sri Sannareddy Dasaradharami Reddy, Chillakuru andal, SPSR Nellore District.

He corroborated Sri Kakuturu Sateesh Kumar reddy in all material aspects, etc. facts.

3. Sri Koduru Janaki Rami Reddy S/o. Veerabhadra Reddy, Momidi Village, Chillakuru SPSR Nellore District.

He cor roborated the material facts of the statement of the complainant.

4. Statement of Sri N.Madhusudana Rao, Revenue Divisional OfficeR., O/o Revenue Division, Gudur, SPSR Nellore District.

He speaks about the procedural aspects to be followed at the time of land acquisition and when disputes of title deeds are placed before the land Acquisition Officer. He also stated that the State Government declared the lands situated in the Village of Thamminapatnam Village of Chillakur Mandal in the registration of Sub-Registrar's Office, Gudur was required for the development of Krishnapatnam Port and acquired the lands and the then Land acquisit ion off icer passed 3 awards i.e. 5, 6 and 14 of 2007, mentioning that the complainant is the notified enjoydar of the S.No. 646 647, 649 and 650 admeasuring Ac.23.57 out of Ac.32.38. The. then L.A.O. after considering the facts and circumstances of the case because of some rival claims made on behalf of Accused Ramesh S.lulla, Puchhalapalli Vani Reddy, Puttam Reddy Amrutha Reddy, Puchhalapalli Nihantha Reddy by Y.Janaki Rami Reddy. But the then L.A.O after considering the facts and circumstances of the case ordered to deposit the compensation amount in the Civil Court deposit i.e Senior Civil Judges Court, Gudur. Accordingly, the award was passed on 10-05-2007 an amount of Rs.95 lakhs was awarded as compensation for the aforementioned lands and the same shall be deposited in the said court. As per the Land Acquisition Act, if any claim is made by the rightful owner showing his title to the property, the Land Acquisition Officer has to refer the matter to competent Civil Court for adjudication of the title and till the conclusion of the verdict in the Civil Court relating to the title of the compensation amount, the amount awarded in the award has to be deposited into Civil Court and on the direction of the Civil Court, the amount has to be disbursed to the person who entitled to receive it. In this case, the C.O Sri Y. Ramachandra Reddy, L.A.O, despite the protest made by Sri K.Satishkumar Reddy without conducting and without following the procedure by misusing his official position disbursed the compensation amount to the parties who had to prove their title in a competent Civil Court as their sale deeds do not disclose how their vendors derived title to the property. Further, there are no revenue records to prove their possession over the said properties by the time of notification given by the Government for the acquisition of the said lands etc., facts.

5. Sri Sankranthi Vara Kumar, Sio Prasad, DAO Nellore, Age 52 years, R/o Kondayapalem, Nellore. Cell: 9849904061.

He stated that he worked as Tahsildar, Chillakur from 03.11.2005 to 02.11.2006 and he speaks about the issuance of pattadar passbooks basing on the registered document numbers 10/2002, 11/2002, 12/2002, 284/2005 and 768/2006 to the persons who purchased the lands based on the respective sale deeds.

6. Statement of Sri K.V. Ramanaiah, s/o Seshaiah, age: 56 years, Tahsildar, Chillakur Mandal, SPSIft Nellore district. R/o Venkatadri Apartments, Ramalingapuram,Nellore district.CellNo:9989502067.

He stated that he has been working as Tahsildar, Chillakur Mandal from 07.02.2017. Further, he stated that the adangals of Survey numbers: 643,646,647,649 and 650, pertaining to the years 1987, 2004 to 2007 were only available in the office and according to the entries one Y.Janakirami Reddy was recognized as pattadar and one Kakuturi Sateesh Kumar Reddy was mentioned as the enjoyer. Further, he stated that as per 1-B, the Revenue authorities issued a pattadar passbook for the above survey numbers in favour of Kakuturu Sateesh Kumar Reddy on 14.12.1997. He confirmed that initially pattadar passbook and title deed were given to Kakuturi Sateesh Kumar Reddy, etc facts.

7. Statement of Smt. Krishna Bharathi, District Revenue Officer, Nellore, SPSR Nellore District.

She speaks about the procedure followed at the time of land acquisition in Survey Nos 644, 646, 647, 649, 650. She further stated that as per the records available one K.Satish Kumar Reddy filed his objections claiming rights over the above survey numbers claiming that it is his ancestral property and his name was find placed in the I-B register. He also produced his pattadar passbook and title deed and further the revenue accounts relating to his survey numbers which show he owned the property covered by the above survey numbers. Further, the records show that despite the objections raised by K.Satish Kumar Reddy, C.O. Sri. Y. Ramachandra Reddy the then RDO/ Land Acquisition Officer, Gudur without conducting proper enquiry ordered payment of compensation amount to various persons by excluding the claim of K.Satish Kumar Reddy to his proceedings dt.12.10.2008. His payment was made based on the letter addressed by the then Collector and District Magistrate, Nellore. He had perused the sale deeds of the owners alleged to have purchased the properties i.e. K.Raghunadhan and their vendors do not disclose the source of title through which they have derived title to the said properties. So C.O Sri Y.Ramachandra Reddy did not act properly and by overlooking the claim of Sri. K.Satish Kumar Reddy ordered payment of compensation amount for the said survey numbers without referring the case to competent Civil Court to decide the title aspect as the amount was ordered to be kept originally in the Civil Court deposits. Thus C.O ignored the claim of K.Satish Kumar Reddy and awarded compensation to the parties without following the procedure contemplated under the Land Acquisition Act.

8. Statement of Sri Pradyumna. P.S, IAS, Joint Secretary to Chief Minister, the then Sub – Collector & Land Acquisition Officer, Gudur, SPSR Nellore Dist.

He speaks about his period of work as Sub-Collector cum LAO of Gudur, SPSR Nellore district from 26-07-2006 to 14-05- 2008. The State Government issued a land acquisition gazette notification on 26.5.2006 acquire some lands in the village of Thamminapatnam of Chillakur Mandal with an extent of Ac. 76.22 cents for the development of Krishnapatnani port. Accordingly, the Government acquired the lands and for payment of compensation to the pattadars and register enjoyers of the respective lands an enquiry was conducted and an award was passed by him vide award No: 5, 6,/2007- 2008 on 10.5.2007. According to the award the Survey numbers 646,647, 649, 650, of Thamminapatnam village were standing in the name of Sri K. Sateesh Kumar Reddy as a registered enjoyer. During my enquiry for passing the award, none were attended to the award enquiry about Survey number 646,647,650 claiming the compensation amount and as such, he ordered the compensation amount allotted for the above thrle survey numbers to be deposited in Civil Court deposits. For Survey No: 649 one P. Vani Reddy, W/o Sathya Reddy attended the enquiry and produced sale deeds pertaining to purchase of the land and also Xerox copies of a registered document and further the village officers i.e., MRO and panchayat secretary of Chillakur also conformed about her ownership and no objections from anybody and as such he ordered payment of compensation amount for an extent of 9 acres 3 cents i.e., Rs. 19,19,352/-. For the land covered by Survey Nos.643 and 644 which is an extent of 6 acres, 45 cents and 2 acres 86 cents respectively. For the survey, no 643 Y.Janakirami reddy attended the enquiry and stated that one P.Amrutha Reddy purchased the land from K.J.Raghunandan under the sale deed. Further, the said fact was confirmed by the MRO, Chillakur and Panchayat Secretary Chillakur and since no objections were received an amount of Rs.19,35,000/- was paid to P.Amrutha Reddy for the survey no 644 is concerned Y.Janakirami Reddy attended the enquiry and stated that P.Amrutha Reddy purchased the property in the year 2006 for an extent of 2 acres 36 cents and no objections were received for the claim of Amrutha Reddy and as such an amount of Rs.7,08,000/- was awarded to her keeping the remaining extent without awarding any compensation as nobody claimed the compensation. After passing the award he was transferred etc facts.

9) Statement of Sri S Ramesh Lulla S/o Sundar Das M Lulla, Age: 66 Years, Agasya Nagar, Kilpak, Chennai, Tamilnadu – 10.

He is a native of Agasya Nagar, Kilpak, Chennai, Tamil Nadu and he stated that he is having lands at Tamminapatnam Village, Chillakuru Mandal, SPSR Nellore District an extent of Ac 1.64 cents in Sy.No.646 and an extent of Ac 4.56 cents of in Sy.No. 647. For purpose of developing Krishnapatnam Port, his lands were acquired by the Government passed the award in favour of him vide Award No.5/2007-08 dated: 10.05.2007 for Rs.3,48,107/-, Ac 02.164 cents and Rs.9,67,907/- to Ac 04.56 cents and the same amount was kept in CCD by the Sri Pradumna, P.S, IAS for filing of link documents and deciding exact beneficiaries and also Satish Kumar Reddy made a rival claim. Further, RDO conducted an enquiry between him and Satish Kumar Reddy and he produced link documents, sale deeds and Pattadar Pass Books before the C.O and represented to release the said compensation. Basing on the representation he released the said amount. Further, he stated that he did not collude with C.O and no amount was paid as a bribe to C.O for payment of said award amount, etc facts.

10) Statement of Sri Puchalapalli Nihant Reddy S/o Satya Reddy, Age: 25 Years, D-127 F, Santosh Colony, Rajamannar Salai, K.K Nagar, Chennai,, Tamilnadu – 78.

He is a native of D-127 F, Santosh Colony, Rajamannar Salai, KK Nagar, Chennai and he stated that he is having lands at Tamminapatnam Village, Chillakuru Mandal, SPSR Nellore District with an extent of Ac 8.34 cents in Sy.No.650, his lands were acquired by the Government for purpose of developing of Krishnapatnam Port and passed the award in favour of him vide Award No.5/2007-08 dated: 10. 5.2007 for Rs.17,94,103/-, and the same amount was kept in CCD by the Sri Pradumna, PS, IAS for filing of link documents and deciding exact beneficiaries. He stated that his mother Smt.P Vani Reddy, represented to the District Collector, Nellore for releasing the said amount, Later he produced link documents, sale deeds and pattadar Pass Books before the C.O and represented to release the said compensation. Basing on the representation he released the said amount. Further, he stated that he did no collude with C.O and no amount was paid as a bribe to C.O for payment of said award amount, etc., facts.

11) Sri B.Sarath Babu, DSP, A.C.B, Nellore Range, Nellore.

To speak about registration of the case etc., facts.

12) Sri K.Venkateswarlu Inspector of Police, A.C.B, Nellore Range, Nellore.

To speak about his part of the investigation etc., facts.

13) Sri N.Siva Kumar Reddy Inspector of Police, A.C.B, Nellore Range, Nellore.

To speak about his part of the investigation and submitting Draft Final Reports etc facts.

14) Sri B.Ramesh Babu, Inspector of Police, A.C.B Nellore Range, Nellore.

To speak about the filing of Article of Charges etc., facts.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER